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PATENT
13024/37276

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:) I hereby certify that this paper and the
John McMICHAEL) documents referred to as enclosed
Serial No.: 09/834,450) therewith are being deposited with the
Filed: April 13, 2001) United States Postal Service as first class
For: METHOD FOR PREVENTING) mail, postage prepaid, in an envelope
ALLOGRAFT REJECTION) addressed to Commissioner for Patents,
Group Art Unit: 1644) P.O. Box 1450, Alexandria, Virginia
Examiner: Gerald R. Ewoldt) 22313-1450
June 23, 2003
Jeffrey S. Sharp
Registration No. 31,879
Attorney for Applicant

**RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Office Action dated May 22, 2003 in which claims 1-12 were subjected to a seven way restriction requirement. Reconsideration of that restriction requirement and provisional election of species is requested for the following reasons.

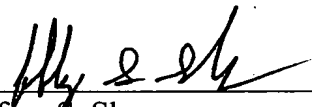
Applicant traverses the restriction requirement because there exists a single inventive concept in the neutralization of a recipient's immune rejection of donated tissue by the use of a low concentration of donor tissue. As such, the multiple species of Applicant's invention constitute obvious variants of one another. Nevertheless, Applicant designates the method of Claim 11 wherein the allograft is of pancreatic beta cells. As such, claims 1-9 and 11 read on that provisionally elected subject matter.

The Commissioner is authorized to charge any fee deficiency required by the paper to
Deposit Account No. 13-2855.

Respectfully submitted,

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